

PLD-C-001

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| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Ghazar Zehnaly 4326 Fairlawn Dr. La Canada, CA 91011-3115 | | FOR COURT USE ONLY |
| TELEPHONE NO: 818-437-2084 FAX NO. (Optional): E-MAIL ADDRESS (Optional): araghazar@gmail.com ATTORNEY FOR (Name): Plaintiff in Pro Per | | CONFORMED COPY ORIGINAL FILED Superior Court of California County of Los Angeles MAR 11 2022 Sheri R. Carter, Executive Officer/Clerk of Court |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 600 E. Broadway MAILING ADDRESS: CITY AND ZIP CODE: Glendale, CA 91205 BRANCH NAME: Glendale Courthouse | | |
| PLAINTIFF: Ghazar Zehnaly DEFENDANT: Amguard Insurance Company, dba Berkshire Hathaway Insurance Companies <input checked="" type="checkbox"/> DOES 1 TO 50 | | |
| <input checked="" type="checkbox"/> CONTRACT <input checked="" type="checkbox"/> COMPLAINT <input type="checkbox"/> AMENDED COMPLAINT (Number): <input type="checkbox"/> CROSS-COMPLAINT <input type="checkbox"/> AMENDED CROSS-COMPLAINT (Number): Jurisdiction (check all that apply): <input type="checkbox"/> ACTION IS A LIMITED CIVIL CASE Amount demanded <input type="checkbox"/> does not exceed \$10,000 <input type="checkbox"/> exceeds \$10,000 but does not exceed \$25,000 <input checked="" type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000) <input type="checkbox"/> ACTION IS RECLASSIFIED by this amended complaint or cross-complaint <input type="checkbox"/> from limited to unlimited <input type="checkbox"/> from unlimited to limited | | CASE NUMBER: 226DCV00124 |

1. Plaintiff* (name or names):
Ghazar Zehnaly
alleges causes of action against defendant* (name or names):
Amguard Insurance Company, dba Berkshire Hathaway Insurance Companies and Does 1-50
2. This pleading, including attachments and exhibits, consists of the following number of pages: 12
3. a. Each plaintiff named above is a competent adult
 - except plaintiff (name):
 - (1) a corporation qualified to do business in California
 - (2) an unincorporated entity (describe):
 - (3) other (specify):
 - b. Plaintiff (name):
 - a. has complied with the fictitious business name laws and is doing business under the fictitious name (specify):
 - b. has complied with all licensing requirements as a licensed (specify):
 - c. Information about additional plaintiffs who are not competent adults is shown in Attachment 3c.
4. a. Each defendant named above is a natural person
 - except defendant (name): Amguard Insurance Company except defendant (name):

| | |
|--|--|
| (1) <input type="checkbox"/> a business organization, form unknown | (1) <input type="checkbox"/> a business organization, form unknown |
| (2) <input checked="" type="checkbox"/> a corporation | (2) <input type="checkbox"/> a corporation |
| (3) <input type="checkbox"/> an unincorporated entity (describe): | (3) <input type="checkbox"/> an unincorporated entity (describe): |
| (4) <input type="checkbox"/> a public entity (describe): | (4) <input type="checkbox"/> a public entity (describe): |
| (5) <input type="checkbox"/> other (specify): | (5) <input type="checkbox"/> other (specify): |

* If this form is used as a cross-complaint, plaintiff means cross-plaintiff and defendant means cross-defendant.

PLD-C-001

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|---|-----------------------------|
| SHORT TITLE: Zehnaly vs. Amguard Insurance Company | CASE NUMBER: 22GDCV00124 |
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4. (Continued)

b. The true names of defendants sued as Does are unknown to plaintiff.

(1) Doe defendants (specify Doe numbers): 1-25 were the agents or employees of the named defendants and acted within the scope of that agency or employment.

(2) Doe defendants (specify Doe numbers): 26-50 are persons whose capacities are unknown to plaintiff.

c. Information about additional defendants who are not natural persons is contained in Attachment 4c.

d. Defendants who are joined under Code of Civil Procedure section 382 are (names):

5. Plaintiff is required to comply with a claims statute, and

a. has complied with applicable claims statutes, or

b. is excused from complying because (specify):

6. This action is subject to Civil Code section 1812.10 Civil Code section 2984.4.

7. This court is the proper court because

a. a defendant entered into the contract here.

b. a defendant lived here when the contract was entered into.

c. a defendant lives here now.

d. the contract was to be performed here.

e. a defendant is a corporation or unincorporated association and its principal place of business is here.

f. real property that is the subject of this action is located here.

g. other (specify):

8. The following causes of action are attached and the statements above apply to each (each complaint must have one or more causes of action attached):

Breach of Contract

Common Counts

Other (specify):

Breach of Implied Covenant of Good Faith and Fair Dealing (Insurance Bad Faith)

9. Other allegations:

See Attachment

10. Plaintiff prays for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

a. damages of: \$ 100,000.00 or according to proof

b. interest on the damages

(1) according to proof

(2) at the rate of (specify): 10 percent per year from (date):

c. attorney's fees

(1) of: \$

(2) according to proof.

d. other (specify):

Punitive damages according to proof

11. The paragraphs of this pleading alleged on information and belief are as follows (specify paragraph numbers):

4b

Date: 3/8/2022

Ghazar Zehnaly

(TYPE OR PRINT NAME)

(If you wish to verify this pleading, affix a verification.)

(SIGNATURE OF PLAINTIFF OR ATTORNEY)

PLD-C-001 (Rev. January 1, 2007)

COMPLAINT—Contract

Page 2 of 2

For your protection and privacy, please press the Clear This Form button after you have printed the form.

 Print this form Save this form Clear this form

PLD-C-001(1)

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|--|-----------------------------|
| SHORT TITLE: Zehnaly v. Amguard Insurance Company | CASE NUMBER: 22GDCV00124 |
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First _____
(number)**CAUSE OF ACTION—Breach of Contract**ATTACHMENT TO Complaint Cross - Complaint

(Use a separate cause of action form for each cause of action.)

BC-1. Plaintiff (name): Ghazar Zehnaly

alleges that on or about (date): 8/10/2019

a written oral other (specify):

agreement was made between (name parties to agreement):

Ghazar Zehnaly and Amguard Insurance Company dba Berkshire Hathaway Guard Insurance

 A copy of the agreement is attached as Exhibit A, or The essential terms of the agreement are stated in Attachment BC-1 are as follows (specify):

Defendant agreed to pay for physical loss of or damage to my real property (see also Attachment 1 hereto).

BC-2. On or about (dates): 1/12/2021

defendant breached the agreement by the acts specified in Attachment BC-2 the following acts (specify):

Defendant improperly denied insurance coverage for the loss and damage to my real property that was covered under my policy. (See Attachment 1)

BC-3. Plaintiff has performed all obligations to defendant except those obligations plaintiff was prevented or excused from performing.

BC-4. Plaintiff suffered damages legally (proximately) caused by defendant's breach of the agreement

 as stated in Attachment BC-4 as follows (specify):

According proof at trial, but at least \$100,000.00.

BC-5. Plaintiff is entitled to attorney fees by an agreement or a statute of \$ according to proof.BC-6. Other: Prejudgment interestPage 3 _____

Page 1 of 1

PLD-PI-001(3)

SHORT TITLE:
Zehnaly v. Amguard Insurance Company

CASE NUMBER

22GDCV00124

Second
(number)

CAUSE OF ACTION—Intentional Tort

Page 4

ATTACHMENT TO Complaint Cross - Complaint

(Use a separate cause of action form for each cause of action.)

IT-1. Plaintiff (name): Ghazar Zehnaly

alleges that defendant (name): Amguard Insurance Company dba Berkshire Hathaway Guard Insurance Companies

 Does 1 to 50

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant intentionally caused the damage to plaintiff

on (date): 1/12/2021

at (place): 1026 San Rafael Ave., Glendale, CA 91202

(description of reasons for liability):

Defendants unreasonably and purposely denied my claim when they knew that my claim was covered. Defendants' denial and rejection of my claim is part of Defendant's company policy and procedure. Defendants also purposefully and unreasonably delayed responding to my claim.